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Docket: 21.1966-CREC/JCG

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application of:

Yoshio SATOH, et al

Examiner: B. Summons

Serial No. 09/925,942

Filed August 10, 2001

(Continuation of Serial No. 09/314,943)  
(Filed May 20, 1999)

Reissue of Patent No.: 5,631,612

Group Art Unit: 2817

Issued: May 20, 1997

For: SURFACE ACOUSTIC WAVE FILTER

**REISSUE APPLICATION DECLARATION UNDER 37 C.F.R. § 1.175**

Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

We, Yoshio Satoh, Osamu Ikata, Tsutomu Miyashita, Takashi Matsuda, and Mitsuo

Takamatsu, declare that:

1. Our residences, post office addresses and citizenship are as stated below next to our respective names.
2. We believe we are the original, first and joint inventors of the subject matter which is described and claimed in U.S. Letters Patent No. 5,631,612 granted on May 20, 1997, and for which invention we solicited a reissue patent on the invention entitled SURFACE ACOUSTIC WAVE FILTER, in application serial number 09/925,942 on August 10, 2001.
3. We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims as amended in the reissue application which

has been assigned serial number 09/925,942, including the Preliminary Amendment filed concurrently with this application.

4. We acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

5. We hereby claim foreign priority benefit under Title 35, United States Code, Section 119, of Japanese Patent Application Nos. 3-281694 and 4-032270 filed October 28, 1991 and February 19, 1992, respectively, and there are no other foreign applications for patent or inventor's certificate having a filing date before Japanese Patent Application Numbers 3-281694 or 4-032270 on which priority is claimed.

6. We hereby claim priority benefit under Title 35, United States Code, Section 120, of U.S. Application Serial No. 965,774, filed October 23, 1992 of which the application which resulted in the '612 patent is a continuation application and of application serial number 09/314,943 filed May 20, 1999 of which the subject application is a continuation.

7. Applicants verily believe the original '612 patent to be wholly or partly inoperative or invalid by reason of a defective specification, by reason of a defective drawing and by reason of the patentees' claiming more or less than they had the right to claim in the patent.

8. With respect to the specification, one error relied upon as the basis for the reissue is found at column 9, line 37 of the specification. In this line, the patent incorrectly refers to a "reception" band. This portion of the specification should read --rejection-- band. Accordingly, this correction has been made in the reissue application which was filed.

9. With respect to the drawings, one error relied upon as the basis for the reissue is found in Figure 53 of the drawings. This figure incorrectly identifies the Y- axis as  $\gamma$ . In fact, as

stated at column 19, line 19 of the '612 patent, the Y-axis should be labeled  $\tau$ . This change has been made in the attached reissue application which was filed.

10. With respect to the claims, one error relied upon as the basis for the reissue is found in claim 6 of the '612 patent. This claim is unduly narrow due to its recitation of "a pair of SAW filters having respective, different pass bands and each SAW filter having a pair of SAW filter input terminals and a pair of SAW filter output terminals and comprising a plurality of one-port SAW resonators connected in a ladder structure between the input and output terminals and including at least a first stage having a series-arm SAW resonator connected to one of the pair of input terminals." Accordingly, in the reissue application, claim 6 has been amended to delete the above-identified limitations.

11. All errors which are being corrected, up to the time of filing of this reissue declaration arose without any deceptive intention on the part of the applicants (37 CFR §1.175(a)(2)).

12. We hereby appoint the attorneys and/or agents of Staas & Halsey LLP under USPTO Customer No. 21,171 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please send all correspondence related to the above-identified application to the following address:

STAAS & HALSEY LLP



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PATENT TRADEMARK OFFICE

13. We hereby declare that all statements made herein of our own knowledge are true, that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's Signature Yoshio Satoh Date Oct. 24, 2001

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